

**STATE OF ILLINOIS**  
**ILLINOIS COMMERCE COMMISSION**

LAZ Parking LTD, LLC	)	
	)	
-vs-	)	
	)	
Commonwealth Edison Company	)	Docket No. 12-0324
	)	
Complaint pursuant to Sections 9-250 and 10-108	)	
of the Illinois Public Utilities Act and Section	)	
200.170 of the Rules of Practice of the Illinois	)	
Commerce Commission.	)	

Direct Testimony of  
**MARISA SPITZ**  
Retired Billing Clerk  
On behalf of  
Commonwealth Edison Company

February 18, 2016

**TABLE OF CONTENTS**

<b>I.</b>	<b>Introduction and Purpose .....</b>	<b>1</b>
<b>A.</b>	<b>Identification of Witness.....</b>	<b>1</b>
<b>B.</b>	<b>Purpose of Testimony .....</b>	<b>1</b>
<b>C.</b>	<b>Summary of Conclusions.....</b>	<b>1</b>
<b>D.</b>	<b>Identification of Exhibits.....</b>	<b>2</b>
<b>E.</b>	<b>Background and Experience.....</b>	<b>3</b>
<b>II.</b>	<b>The Meter Constant Discrepancy Report .....</b>	<b>3</b>
<b>III.</b>	<b>Calculation of the Correct Constant.....</b>	<b>6</b>
<b>IV.</b>	<b>Re-Bills for the Unbilled Delivery Service.....</b>	<b>6</b>

**I. Introduction and Purpose**

**A. Identification of Witness**

**Q. What is your name and business address?**

A. Marisa Spitz. I no longer have a business address as I am retired.

**Q. By whom were you employed and in what capacity?**

A. I was employed by Commonwealth Edison Company (“ComEd”) in the billing department for 21 years. I worked for ComEd for a total of 43 years.

**Q. Are you the same Marisa Spitz who provided affidavits on behalf of ComEd in this docket?**

A. Yes.

**B. Purpose of Testimony**

**Q. What is the purpose of your direct testimony?**

A. The purpose of my direct testimony is threefold. First, I explain how ComEd determined that it had under-billed LAZ Parking LTD, LLC (“LAZ”). Second, I explain how ComEd calculated a numerical figure known as a constant that ComEd should have used in its billing system to correctly calculate LAZ’s bills. Third, I explain how ComEd subsequently issued re-bills for the unbilled delivery service.

**C. Summary of Conclusions**

**Q. Please summarize the conclusions of your direct testimony.**

A. First, I conclude that ComEd was using an incorrect constant in its billing system, known as the Customer Information & Marketing System (“CIMS”). Second, I conclude that the incorrect constant was 1 kilowatt hour (“kWh”)/0.003 kilowatts (“kW”) and the correct

constant was 600 kWh/0.18 kW. Third, I conclude that ComEd cancelled the bills issued using the incorrect constant and reissued those bills using the correct constant.

**D. Identification of Exhibits**

**Q. Are you sponsoring any attachments to your direct testimony?**

**A.** Yes. I have attached the following exhibits to my testimony:

- **ComEd Exhibit (“Ex.”) 3.01** is a true and correct copy of my June 7, 2013 affidavit in support of Respondent’s Motion to Dismiss the Complaint on the Merits.
- **ComEd Ex. 3.02** is a true and correct copy of my June 29, 2015 affidavit in support of Respondent’s Motion for Summary Judgment.
- **ComEd Ex. 3.03** is a true and correct copy of the April 23, 2010 Meter Constant Discrepancy Report that alerted ComEd to the under-billing at issue. ComEd has redacted information contained in this report that is related to other ComEd customer accounts.
- **ComEd Ex. 3.04** is a true and correct copy of a CIMS Meter Reading History for the LAZ meter.
- **ComEd Ex. 3.05** is a true and correct copy of the formula that ComEd used to verify the correct constant for Meter No. 141362866, the LAZ meter involved in this case (“LAZ Meter”). This is also referred to as a job aid.

42       **E.     Background and Experience**

43       **Q.     Ms. Spitz, please summarize your duties and responsibilities in your past position in**  
44       **the billing department.**

45       A.     In my past position as a Billing Clerk, previously titled Commercial Accounts Clerk, I  
46       worked with CIMS. I was responsible for billing accounts if there was a problem with  
47       CIMS not billing on its own, and I would correct accounts that were billed incorrectly. In  
48       order to perform these tasks, I had to have knowledge and understanding of the  
49       operations of various types of meters, the associated equipment required for certain types  
50       of meters, the differences in meter size and type, and the associated equipment size and  
51       type. I also became experienced with constants and was skilled at applying the formula  
52       for calculating constants. In instances where I perceived there was an error in the billing  
53       system, it was my responsibility to take or direct corrective action required to ensure that  
54       CIMS would produce accurate billings.

55       **II.    The Meter Constant Discrepancy Report**

56       **Q.     What is a constant?**

57       A.     As explained in more detail by ComEd witness Mr. Thomas Rumsey (ComEd Ex. 1.0),  
58       certain of ComEd's meters require additional equipment such as a current transformer  
59       ("CT"). For ComEd, use of a CT requires that a piece of information referred to as the  
60       constant be input into CIMS to ensure correct bill calculation. The value of the constant  
61       – one or 600 or a value in-between – depends on the model type and size of the CT.

62   **Q.     What is a Meter Constant Discrepancy Report?**

63   A.     CIMS issues a weekly Meter Constant Discrepancy Report (“Report”). The Report alerts  
64           ComEd if there are any discrepancies between the equipment in use by ComEd’s  
65           customers and the constant information entered into CIMS.

66   **Q.     How did ComEd determine that there was an error in the LAZ billings?**

67   A.     As part of my job duties, I reviewed this Report on a weekly basis. The April 23, 2010  
68           Report, attached hereto as ComEd Ex. 3.03, indicated that there was an issue with the  
69           constant entered into CIMS for the LAZ Meter. Specifically, the Report indicated that  
70           given the equipment in use by LAZ, there was a discrepancy between the constant CIMS  
71           would expect ComEd to use and the constant actually in use in CIMS.

72   **Q.     Can you walk us through ComEd Ex. 3.03?**

73   A.     Yes. The first two pages of ComEd Ex. 3.03 are in the format generated by CIMS and as  
74           produced by ComEd. The third page of ComEd Ex. 3.03 brings these two pages together  
75           in a demonstrative fashion for ease of reference. Looking at this third page and following  
76           the headings, you can see that the Report shows the “Model Type” and “Meter Size” of  
77           the CT and the LAZ Meter, the “CPR” (counts per revolution), the “Calculated  
78           Constant,” and the “CONSTANT IN CIMS.” Because the “Calculated Constant” and the  
79           “CONSTANT IN CIMS” did not match, the LAZ Meter showed up on the Report.

80   **Q.     What is the Calculated Constant?**

81   A.     The Calculated Constant is the system generated constant that, as a general rule, should  
82           be in use for the CT and meter in question.

83 **Q. What were the Calculated Constant and the CONSTANT IN CIMS for the LAZ**  
84 **Meter?**

85 A. As shown on ComEd Ex. 3.03, the Calculated Constant for the LAZ Meter was 600 kWh  
86 /0.18 kW. The CONSTANT IN CIMS was 1 kWh /0.0003 kW.

87 **Q. What did you do after you reviewed this Report?**

88 A. I obtained and reviewed a CIMS Meter Reading History for the LAZ meter, attached  
89 hereto as ComEd Ex. 3.04. This document contains historical information for the LAZ  
90 Meter from 6/5/2007 through 5/3/2010. I also requested that ComEd's Field & Meter  
91 Services ("F&MS") department perform a re-verification of the meter number and the  
92 size and type of the CT. This involves a site visit where a F&MS technician physically  
93 views the equipment and records the requested information.

94 **Q. Why did you request a re-verification of the meter number and the size and type of**  
95 **the CT?**

96 A. Whenever it appeared to me that there could be a large dollar value associated with a  
97 constant discrepancy, it was my pattern and practice to request a re-verification in order  
98 to confirm that the equipment information in CIMS was correct.

99 **Q. Did ComEd perform this re-verification?**

100 A. Yes. I received re-verification of the meter number and the size and type of the CT  
101 through CIMS.

102 **Q. What information did this re-verification provide to you?**

103 A. The re-verification confirmed that based on the meter number and the size and type of CT  
104 LAZ was using, the CONSTANT IN CIMS was incorrect.

105 **III. Calculation of the Correct Constant**

106 **Q. If the CONSTANT IN CIMS was incorrect, how did you determine the correct**  
107 **constant for the LAZ meter?**

108 A. As I explained above, the Report provided me with a Calculated Constant that, as a  
109 general rule, should be in use for the CT and meter in question. In addition, I verified  
110 that this would be the appropriate constant by independently calculating the constant  
111 using the formula or job aid attached hereto as ComEd Ex. 3.05. I discussed this  
112 calculation in detail in both of my affidavits. ComEd Ex. 3.01, ¶¶ 8, 9; ComEd Ex. 3.02,  
113 pages 2-3.

114 **Q. What was the correct constant?**

115 A. The Calculated Constant for the LAZ Meter of 600 kWh /0.18 kW was correct.

116 **IV. Re-Bills for the Unbilled Delivery Service**

117 **Q. How did this incorrect meter constant impact the billings for delivery service that**  
118 **ComEd had been providing to LAZ?**

119 A. The incorrect constant, or CONSTANT IN CIMS as shown in the Report, caused ComEd  
120 to under-bill LAZ for delivery service by a factor of 600. This is borne out by a simple  
121 mathematical ratio between the incorrect constant and the correct constant of one to 600  
122 and 0.0003 to 0.18.

123 **Q. How did you correct this?**

124 A. I caused CIMS to cancel the incorrect bills for delivery service provided in the June 3,  
125 2008 to May 3, 2010 time period. I then corrected the constant in CIMS. Next, I issued  
126 re-bills for the full amount of the delivery service provided in the same time period,



keyed to the meter read date of May 5. CIMS then automatically issued a credit in the amount that LAZ had already paid for this time period. ComEd witness Ms. Trishaun Jamison (ComEd Ex. 4.0) discusses the dollar values associated with these re-bills in detail.

**Q. Was this under billing issue limited to the time frame June 3, 2008 through May 3, 2010?**

A. No. After reviewing the CIMS Meter Reading History for the LAZ meter, it was apparent to me that the under-billing went back to the date ComEd exchanged the meter on December 14, 2007, as indicated in ComEd Ex. 3.04. As also shown on ComEd Ex. 3.04, both the kWh shown in the "GS Tot" (General Service Total) column, and the kW shown in the "Maximum" column, drop off dramatically immediately after the meter was exchanged. This indicates to me that the constant information in CIMS was correct prior to the meter exchange, but that somehow that information was changed when ComEd exchanged the meter.

**Q. Did you re-bill for unbilled delivery service dating back to December 14, 2007?**

A. No. Although I am not a lawyer, my understanding of 83 Illinois Administrative Code Section 280.100 is that ComEd is only permitted to issue re-bills for 2 years from to the date it provided the delivery service. 83 Ill. Admin. Code § 280.100. Therefore, I limited my re-billing to the 2-year period from June 3, 2008 to May 3, 2010. This means that no matter what the outcome of this case is, ComEd did not bill LAZ for most of its usage for five months of delivery service, from December 2007 to May 2008.

148   **Q.     Was the re-billing you describe above attributable in any respect to an error in the**  
149           **LAZ meter?**

150   **A.     No. The re-billing I describe above was attributable solely to the incorrect meter constant**  
151           **in CIMS.**

152   **Q.     Does this conclude your direct testimony?**

153   **A.     Yes.**